



GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

2012 REGULAR SESSION

SENATE BILL NO. 57

AS ENACTED

FRIDAY, MARCH 30, 2012

RECEIVED AND FILED
DATE April 11, 2012
5:46 p.m.
ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
Marjorie Helm

1 AN ACT relating to public records.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔Section 1. KRS 213.116 is amended to read as follows:

4 (1) The cabinet shall perform the collection, indexing, tabulation, and registration of
5 data relating to marriages, divorces, and annulments. The secretary shall adopt
6 administrative regulations to carry out the provisions of this section.

7 (2) Each county clerk shall on or before the tenth day of each month furnish to the state
8 registrar, from the marriage licenses issued and the marriage certificates returned to
9 the clerk during the previous month, the information required by the Cabinet for
10 Health and Family Services upon forms prescribed and furnished by the cabinet.
11 The county clerk shall collect from the applicants for a marriage license at the time
12 the license is issued one dollar (\$1), which shall constitute the clerk's fee for
13 forwarding the required information to the state registrar.

14 (3) A marriage record not filed within the time prescribed by this section may be
15 registered in accordance with administrative regulations adopted by the cabinet.

16 (4) In all actions for dissolution of marriage, the petitioner, or the petitioner's attorney
17 or legal representative, shall file, concurrently with the petition, the information
18 requested on forms prescribed and furnished by the Cabinet for Health and Family
19 Services. **By January 1, 2013, these forms shall be available on the cabinet's Web**
20 **site as a downloadable document that can be completed electronically and**
21 **printed.** The provisions of the information shall be prerequisite to the issuance of a
22 final decree in the matter by the court.

23 (5) Each Circuit Court clerk shall, within forty-five (45) days after entry of a final
24 judgment of divorce, absolute or limited, or annulment of marriage, complete the
25 form prescribed and furnished by the Cabinet for Health and Family Services and
26 forward it to the state registrar.

27 ➔Section 2. KRS 214.556 is amended to read as follows:


- 1 (1) There is hereby established within the Kentucky cancer program the Kentucky
2 Cancer Registry and the cancer patient data management system for the purpose of
3 providing accurate and up-to-date information about cancer in Kentucky and
4 facilitating the evaluation and improvement of cancer prevention, screening,
5 diagnosis, therapy, rehabilitation, and community care activities for citizens of the
6 Commonwealth. The cancer patient data management system shall be administered
7 by the Lucille Parker Markey Cancer Center.
- 8 (2) Each licensed health facility which provides diagnostic services, or diagnostic
9 services and treatment, or treatment to cancer patients shall report to the Kentucky
10 Cancer Registry, through the cancer patient data management system and in a
11 format prescribed by the Kentucky Cancer Registry, each case of cancer seen at that
12 health facility. Failure to comply may be cause for assessment of an administrative
13 fine for the health facility, the same as for violation of KRS 216B.250.
- 14 (3) Each health facility shall grant to the cancer registry access to all records which
15 would identify cases of cancer or would establish characteristics of the cancer,
16 treatment of the cancer, or status of any identified cancer patient. Hospitals actively
17 participating and enrolled in the cancer patient data management system of the
18 Kentucky Cancer Program as of July 13, 1990, shall be considered to be in
19 compliance with this section. The Lucille Parker Markey Cancer Center shall
20 provide staff assistance in compiling and reporting required information to hospitals
21 which treat a low volume of patients.
- 22 (4) No liability of any kind or character for damages or other relief shall arise or be
23 enforced against any licensed health facility by reason of having provided the
24 information or material to the Kentucky Cancer Registry pursuant to the
25 requirements of this section.
- 26 (5) The identity of any person whose condition or treatment has been reported to the
27 Kentucky Cancer Registry shall be confidential, except that:

1 (a) The Kentucky Cancer Registry may exchange patient-specific data with any
2 other cancer control agency or clinical facility for the purpose of obtaining
3 information necessary to complete a case record, but the agency or clinical
4 facility shall not further disclose such personal data; and

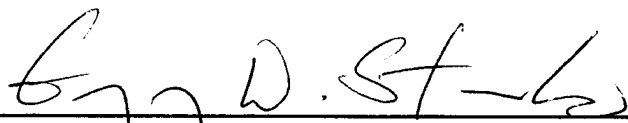
5 (b) The Kentucky Cancer Registry may contact individual patients if necessary to
6 obtain follow-up information which is not available from the health facility.

7 (6) All information, interviews, reports, statements, memoranda, or other data furnished
8 by reason of this section expressly including all portions, subsets, extracts or
9 compilations of the data as well as~~and~~ any findings or conclusions resulting from
10 those studies shall be privileged, and shall not be considered public records under
11 KRS 61.870 to 61.884. The Kentucky Cancer Registry may determine that certain
12 extracts, subsets, or compilations of data do not reveal privileged information and
13 may be published or otherwise shared to further the public health goals set forth
14 herein.

15 (7) The Kentucky Cancer Registry shall make periodic reports of its data and any
16 related findings and recommendations to the Legislative Research Commission, the
17 Interim Joint Committees on Appropriations and Revenue and on Health and
18 Welfare, the Governor, the Cabinet for Health and Family Services, the reporting
19 health facility, and other appropriate governmental and nongovernmental cancer
20 control agencies whose intent it is to reduce the incidence, morbidity, and mortality
21 of cancer. The Kentucky Cancer Registry may conduct analyses and studies as are
22 indicated to advance cancer control in the Commonwealth either directly or by
23 confidentially sharing data with third parties.



President of Senate



Speaker House of Representatives

Attest: 

Chief Clerk of Senate

Approved 

Governor

Date 4-11-12